IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Habes Corpus Writ Petition No. 10 of 2006 (D/B)

Deepak s/o Late Shri Vinay,
R/o Near Polytechnic Manpur Road,
Kashipur, District Udham Singh Nagar …….. Petitioner

Versus

1. State of Uttaranchal through D.G.P.
2. Senior Superintendent of Police, Udham Singh Nagar, District Udham Singh Nagar.
3. Station House Officer, Police Station Kashipur, District Udham Singh Nagar.
4. Chowki lncharge, Police Post Katoratal, Kashipur, District Udham Singh Nagar …… Respondents

..……..

Sri Sidharth Bisht, Advocate for the petitioner.
Sri D.K.Sharma, Government Advocate for the respondents.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Sri Siddharth Bisht, Advocate for the petitioner.

Sri D.K.Sharma, Government Advocate for the respondents.

They are heard.

2. Petitioner Deepak, by filing this writ petition, is seeking a writ of habeas corpus alleging illegal detention of his brother-law Raju.

3. In the counter affidavit filed on behalf of the respondents, it is categorically stated that the petitioner's brother-in-law Raju has been arrested by the police for his alleged involvement in crime no. 1356 of 2006 registered at Police Station Kashipur for the alleged commission of the offences punishable under Sections 302 and 201 I. P. C.

4. In this view of the matter, the relief sought by the petitioner in this writ petition cannot be granted.

5. The writ petition, therefore, fails and is hereby dismissed.

(Prafulla C. Pant, J.) 05.06.2006

(Rajeev Gupta, C. J.) 05.06.2006

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